

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

KAREN AUDAY,)	
)	
Plaintiff,)	
)	Case No. 1:10-CV-260
v.)	
)	Judge Curtis L. Collier
WET SEAL RETAIL, INC.,)	
)	
Defendant.)	

ORDER

On October 25, 2012, the United States Court of Appeals for the Sixth Circuit issued an opinion vacating the judgment and remanding the decision in this case. *Auday v. Wet Seal Retail, Inc.*, No. 12-5057, 2012 WL 5259002, at *3 (6th Cir. Oct. 25, 2012). The case was remanded for this Court to either dismiss the case with prejudice or allow the plaintiff to amend the complaint and substitute the bankruptcy trustee as the plaintiff. *Id.* The mandate was issued on November 20, 2012. To determine how best to proceed, the Court will hold a status conference on **Friday, December 14, 2012, at 9:30 a.m.** The Court expects Plaintiff Karen Auday and her attorney in this matter as well as defense counsel to be in attendance. Moreover, although the Chapter 7 Trustee is not presently a party to the case, the Court expects the Trustee to be in attendance.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE